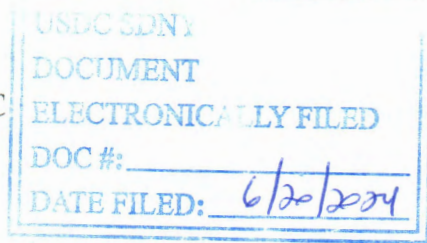




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OK, Conference adjourned to  
 9/5/2024 at 10:30 Am.

June 19, 2024

Hon. Colleen McMahon  
 United States District Judge  
 United States District Court — Southern District of New York  
 500 Pearl Street  
 New York, NY 10007

*Colleen McMahon*  
*6/20/2024*

*Drip Capital, Inc. v. Big Stock, Inc. et al. (1:24-cv-02755-CM)*

Dear Judge McMahon:

We represent the plaintiff in this case and write with respect to the scheduling Order Your Honor entered on April 12, 2024 (Dkt. No. 8), directing that the parties appear for an Initial Pretrial Conference on June 27, 2024, and setting a schedule for other initial case management steps. We write specifically to advise the Court that the defendants were only recently served and to suggest that the June 27 date be adjourned to either July 25 or August 1, or such other date convenient for the Court, to allow time for the defendants to answer or for us to determine that the defendants will not answer and will default.

By way of background, plaintiff had difficulty serving both defendants. The difficulty arose in part because our process server was initially given the indication that the principal address for the defendants and the home address of the individual defendant Italo Ligero had been vacated by them. The difficulty was exacerbated because the entity defendant, Big Stock, Inc. ("Big Stock"), had closed its principal physical location known to plaintiff. After investigation, we were able to effect service. Affidavits of service are now filed on the docket (Dkt. Nos. 9 and 10) and believe the dates for an answer or responsive pleading are, for Big Stock, July 1, 2024, and for Mr. Ligero, July 22, 2024.

We have attempted to communicate with both defendants by telephone and email, including transmitting copies by email (at the only known email address we have for either of the defendants) of the summonses and complaint in the case, but have not been able to elicit a discussion about the case. (For the sake of completeness, I note that I did speak briefly with Mr. Ligero by telephone during the service of papers at his residence because he was contacted by telephone to the building personnel at his residence and they were willing to turn the phone over to me at that time; but I have not been able to elicit further contact apart from that conversation since the case was filed.)

In all of these circumstances, we believe the adjustments to the schedule proposed above would result in an orderly way to proceed.

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We will transmit to defendants by email to the only email address known to us a copy of this letter, as well as a copy of the April 12 scheduling order. We note that we understand that email address to be valid and working today, including because it is listed on Big Stock's website as the email address for business communications and also because our prior transmittals to that email address have not generated any message indicating a failure of delivery.

We would of course take any other steps as Court directs, and provide any other information as the Court directs.

Respectfully submitted,

*Richard J.J. Scarola*

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